

REMARKS

Claims 1-8 are pending in the application. Claims 1, 3, 7 and 8 are amended, and new claims 9-16 are introduced. Accordingly, upon entry of the amendments presented herein, claims 1-16 will be pending. Support for newly added claims 9-16 can be found throughout the specification and claims as originally filed, and at least in the table at pages 5-13 and in the Examples.

No new matter has been added. Applicants reserve the right to pursue the claims as originally filed in one or more separate applications.

Information Disclosure Statement

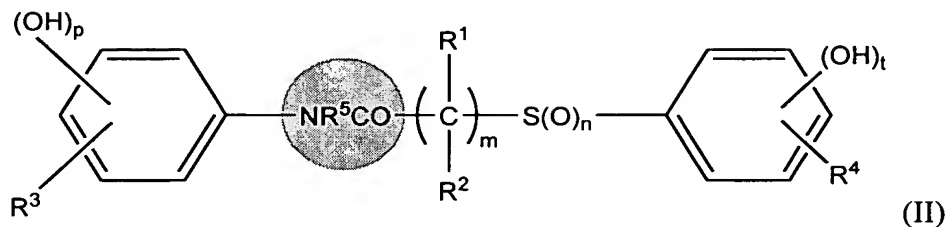
As a preliminary matter, Applicants would like to thank the Examiner for considering the references cited in the Information Disclosure Statement filed on May 10, 2005.

Claim Rejections – 35 U.S.C. §102

Claims 1-3 and 7-8 have been rejected under 35 U.S.C. §102(b) as being anticipated by XP 002322355 or XP 002322356 or XP 002322357 or XP 002322358 or XP 002322359 or XP 002322360 or XP 002322361 or XP 002322362 or XP 002322363 or XP 002322364 or XP 002322365 (XP'351 to XP'365).

Applicants respectfully submit that Formula I of claims 1, 7 and 8 as amended recites the proviso that q is not 0 and R³ is not alkyl, alkoxy, or halogen when u is 0 and Y is CO, and q is not 0 and R³ is not alkyl or halogen when u is 1 or more, Y is CO and R⁴ is halogen, alkyl, or alkoxycarbonyl. The compounds of XP'351 to XP'365 do not fall into the genus of compounds recited by Formula I. Accordingly, claims 1, 7, and 8 as amended are novel in view of XP'351 to XP'365.

Furthermore, Applicants draw the Examiner's attention to claim 2, which recites phenol compounds of Figure II:



Applicants respectfully point out that the cited art does not disclose compounds of Formula II inasmuch as the group indicated above is --CO-- in each of the cited references. Accordingly, claim 2 is novel in view of XP'351 to XP'365.

Applicants also respectfully submit that Formula III of claim 3 as amended recites the proviso that R^3 is not alkyl or halogen when R^4 is halogen or alkyl. The compounds of XP'351 to XP'365 do not fall into the genus of compounds recited by Formula III. Accordingly, claim 3 as amended is novel in view of XP'351 to XP'365.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance. If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call the undersigned.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. NIW-011USRCE from which the undersigned is authorized to draw.

Dated: September 9, 2005

Respectfully submitted,

By 

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